ORDINANCE NO. 6390

AN ORDINANCE TO AMEND CHAPTER 1.32 "PURCHASING" OF THE 2019 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTIONS 1.32.010 THROUGH 1.32.060.

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 1.32 "Purchasing" of the 2019 Municipal Code of Council Bluffs, Iowa, is hereby amended by amending Sections 1.32.010 through 1.32.060 to read as follows:

1.32.010 - Duty of mayor or his or her designee.

It shall be the duty of the mayor or his or her designee to make all purchases of goods and services for the city and see that such goods and services are received and are of the quality and character as called for in the notice to bidders and/or the purchase contract. The following chapter does not apply to solicitation for professional services. Professional services shall include planning, design, architectural, engineering, landscape architecture, land surveying, land appraising, consulting, legal, and management review services. Professional services must be sought and contracted for in a manner consistent with state law and the City's Professional Services Selection Process. Where it is reasonable to think that the total amount of contracted professional services shall exceed seventy-five thousand dollars ($75,000.00), no contract shall be entered without an affirmative vote of the council.

1.32.020 - Advertising for bids on purchases over twenty-five thousand dollars (fifty thousand dollars for information technology purchases).

Before any goods or services are purchased for the city, where the probable net cost may exceed twenty-five thousand dollars ($25,000.00), or fifty thousand dollars ($50,000.00) for information technology purchases, the mayor or his or her designee shall advertise for sealed bids for the same; not less than four days nor more than forty (40) days before bid opening date.

1.32.030 - Deposit to accompany bids.

All bids shall be mailed or delivered (sealed) to the office designated by the mayor or his or her designee and shall be accompanied by a certified bank check, cashier's check or bid bond for not less than five percent of such bid.

1.32.040 - Acceptance or rejection of bids.

The mayor or his or her designee shall accept the lowest bid of a responsible and responsive bidder, taking into consideration the character and quality of goods and services to be furnished and facilities of the bidder to deliver the goods and services in accordance with the requirements of the city, the notice to bidders, and the bidder's ability to furnish adequate repairs and spare parts; however, if the net amount of the lowest responsible bid exceeds twenty-five thousand dollars ($25,000.00), or fifty thousand dollars ($50,000.00) for information technology purchases, and the purchase will exceed the monies approved by the city council in the annual budget, then and in that event, the bid shall not be accepted unless and until the city council has approved the same. The mayor or his or her designee may reject all bids and re-advertise.

1.32.050 - Return of deposits of unsuccessful bidders.

Checks of all unsuccessful bidders shall be returned to the unsuccessful bidders forthwith. Bid bond documents will be retained by the City.

1.32.060 - Purchases costing less than twenty-five thousand (fifty thousand for information technology) dollars.

For all goods and services where the probable net cost thereof shall not exceed the sum of twenty-five thousand dollars ($25,000.00), or fifty thousand dollars ($50,000.00) for information technology purchases, the mayor or his or her designee will, by full investigation in pricing, use his or her best efforts to obtain the lowest possible satisfactory price and term thereon. On purchases of a single item or service in excess of seven thousand five hundred dollars ($7,500.00) but less than twenty-five thousand dollars ($25,000.00), or fifty thousand dollars ($50,000.00) for information technology purchases, the mayor or his or her designee will make a good faith effort to obtain three price quotations and purchase from the lowest responsible and responsive of the quotations, taking into consideration the character and quality of the goods and/or services to be furnished and the facilities of the bidder to deliver said items. If the mayor or his or her designee elects to accept any quotation other than the lowest responsive, responsible quote, such purchases will not be made until the city council has approved the same.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED: July 8, 2019

BY: _____
Matthew J. Walsh, Mayor

ATTEST: _____
Jodi Quakenbush, City Clerk

Public Hearing: N/A
First Consideration: 6/10/19 continued
First Consideration: 6/24/19
Second Consideration: 7/8/19
Third Consideration: _____